

09/23/03
16076 U.S. PTO

03940 U.S. PTO
10/668764
09/23/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
50037.33USD1	395	701000	George L. Opie	2126

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EL 964694260 US
Date of Deposit: September 23, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Name: Tracy Gutscher

DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a divisional application under 37 CFR § 1.53(b) of Serial No. 08/931,861, filed on September 16, 1997 entitled METHOD AND SYSTEM FOR CONTROLLING THE IMPROVING OF A PROGRAM LAYOUT by the following inventor(s):

Full Name Of Inventor	Family Name Douceur	First Given Name John	Second Given Name R.
Residence & Citizenship	City Bellevue	State or Foreign Country WA	Country of Citizenship USA
Post Office Address	Post Office Address 14711 Northeast 50th Place, #J-2	City Bellevue	State & Zip Code/Country WA 98007 / USA
Full Name Of Inventor	Family Name Fitzgerald	First Given Name Robert	Second Given Name P.
Residence & Citizenship	City Redmond	State or Foreign Country WA	Country of Citizenship USA
Post Office Address	Post Office Address 19923 Northeast Redmond Road	City Redmond	State & Zip Code/Country WA 98053 / USA
Full Name Of Inventor	Family Name Miller	First Given Name John	Second Given Name W.
Residence & Citizenship	City Kirkland	State or Foreign Country WA	Country of Citizenship USA
Post Office Address	Post Office Address 331 8th Avenue West	City Kirkland	State & Zip Code/Country WA 98033 / USA

1. ☒ Enclosed is a copy of the prior application; including the specification, claims, drawings, a signed oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced

new matter therein.) The divisional application is as follows: 57 pages of specification, 71 claims, 1 page of abstract, 28 sheets of drawings, and 4 pages of oath or declaration.

- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

2. ☒ Cancel original claims 1-50 and 68-71 of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

3. ☒ The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS: 17 -20	0	x	\$18.00	0.00
INDEPENDENT CLAIMS 2 -3	0	x	\$84.00	0.00
			BASIC FILING FEE:	\$750.00
			TOTAL FILING FEE:	750.00

- ☐ Small entity status is claimed pursuant to 37 CFR 1.27.

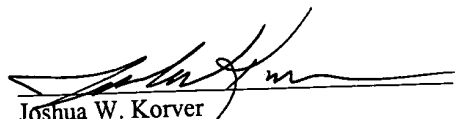
4. ☒ Payment of fees:
☒ Attached is a check in the amount of 750.00
☐ Please charge Deposit Account No. 13-2725.
5. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
6. ☒ A preliminary amendment is enclosed
7. ☒ The prior application is assigned of record to Microsoft Corporation located at One Microsoft Way, Redmond, Washington 98052.
8. ☒ The original Power of Attorney in the prior application is to:
- Seed and Berry LLP
Seattle, WA 98104-7092
10. ☒ Also Enclosed: Copy of 2 Revocation & Power of Attorney Documents resulting in Power of Attorney vested with Merchant & Gould P.C.
11. ☒ Address all future communications to the **Attention of Joshua W. Korver** (may only be completed by attorney or agent of record) at the address below.

12. ☒ A return postcard is enclosed.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
206.342.6200

Date: 9/23/03


Joshua W. Korver
Reg. No. 51,894
JWK:tg